

REMARKS

Claim 38 is the only claim presently pending in the application. Claims 1-17, 26, and 28-37 have been canceled without prejudice or disclaimer.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicants specifically state that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Entry of the claim amendments is believed proper since no new issues are being presented to the Examiner, which would require further consideration and/or search.

Applicants gratefully acknowledge the Examiner's indication that claim 38 would be allowable if amended to overcome the Examiner's rejection under 35 U.S.C. § 112.

Applicants respectfully submit that all of claims are allowable. Merely in an effort to speed prosecution, however, Applicants have canceled claims 1-37 to place the Application in condition for immediate allowance.

Applicant is not conceding that claims 1-17, 26, and 28-37 are not patentable, as Applicant is merely canceling these claims to expedite prosecution. Applicant respectfully reserves the right to pursue these and other claims in one or more continuation patent applications.

Claim 38 stands rejected under 35 U.S.C. § 112, second paragraph as being indefinite.

Applicants have editorially amended claim 38 as suggested by the Examiner.

In view of the foregoing, Applicants submit that claim 38 is the only claim presently pending in the application, are patentably distinct over the prior art of record and are in

Serial No. 10/690,538
Docket No. YOR9200300044US1
YOR.434

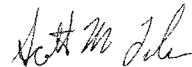
4

condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Assignee's Deposit Account No. 50-0510.

Respectfully Submitted,



Date: July 15, 2008

Scott M. Tulino, Esq.
Registration No. 48,317

Sean M. McGinn, Esq.
Registration No. 34,386

**MCGINN INTELLECTUAL PROPERTY
LAW GROUP, PLLC**
8321 Old Courthouse Road, Suite 200
Vienna, VA 22182-3817
(703) 761-4100
Customer No. 48150